

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

CHRISTOPHER L. SECHLER and SUSAN R.  
SECHLER,

Plaintiffs,

v.

U.S. BANK NATIONAL ASSOCIATION,  
TRUSTEE FOR TRUMAN 2016 SC6 TITLE  
TRUST,

Defendant.

Case No. 3:22CV198-DMB-RP

**NOTICE OF REMOVAL**

COMES NOW, U.S. Bank National Association, as Trustee for Truman 2016 SC6 Title Trust (“U.S. Bank”), Defendant in the above-styled civil action, and files this Notice of Removal, hereby removing this action to the United States District Court for the Northern District of Mississippi, Oxford Division. U.S. Bank states the following grounds in support of removal:

1. On July 1, 2022, Plaintiffs Christopher and Susan Sechler (the “Plaintiffs”) filed their Complaint against U.S. Bank in the Circuit Court of DeSoto County, Mississippi. This case is styled as *Sechler v. U.S. Bank Nat’l Assoc., Trustee for Truman 2016 SC6 Title Trust* and was assigned Case No. CI2022-299CWD (the “State Court Action”). True and correct copies of all filings to date in the State Court Action (along with the docket sheet) are collectively attached hereto as **Exhibit “A”**.

2. This action was filed thirty days ago and the Plaintiff claims that service was perfected on September 7, 2022. Accordingly, removal is timely under 28 U.S.C. § 1446(b).

3. The United States District Court for the Northern District of Mississippi, Oxford Division, embraces DeSoto County, Mississippi. Removal to this Court is therefore proper under 28 U.S.C. § 1441(a).

4. This Notice of Removal is being filed in accordance with 28 U.S.C. § 1446 and Fed. R. Civ. P. 81(c). In compliance with 28 U.S.C. § 1446(d), U.S. Bank will, upon docketing of the Notice of Removal in this Court, file a copy of the Notice of Removal with the Clerk of the Circuit Court of DeSoto County, Mississippi.

### **DIVERSITY JURISDICTION**

1. The basis for this removal and federal court jurisdiction is that this Court has diversity jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a), because this is a suit between citizens of different states, and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

2. The Plaintiffs are residents of and domiciled in Mississippi. *See* Complaint at ¶ 2. Thus, the Plaintiffs are citizens of Mississippi.

3. U.S. Bank is a national banking association with its main office, as listed in its articles of incorporation, in Ohio. As such, U.S. Bank is a citizen of Ohio. *See Bellforest Tr. v. U.S. Bank, Nat'l Ass'n as Tr. for JP Alt 2006-SI*, No. 4:17-CV-01586, 2017 WL 8794878, at \*2 (S.D. Tex. Nov. 8, 2017).

4. In this action, the Plaintiffs are challenging U.S. Bank's right to enforce a deed of trust recorded on March 3, 2004, at Book 1937, Page 513 (the "Deed of Trust"). *See* Compl. at ¶¶ 14, 37-39.

5. Specifically, the Plaintiffs are seeking an injunction to enjoin a foreclosure of the Deed of Trust, a declaratory judgment that the Deed of Trust is void, and a declaratory judgment that they owe no money to U.S. Bank. Compl. at ¶¶ 37-39.

6. The Deed of Trust encumbers the real property located at 3821 Nail Road, Horn Lake, Mississippi 38637. *See* Compl. at ¶¶ 2, 14.

7. “The value of the property is the relevant consideration for determining amount in controversy for these common foreclosure cases seeking injunctive relief . . . .” *Statin v. Deutsche Bank Nat’l Trust Co.*, 599 F. App’x 545, 546 (5th Cir. 2014) (citing *Farkas v. GMAC Mortg., L.L.C.*, 737 F.3d 338, 341 (5th Cir. 2013)).

8. The DeSoto County Tax Assessor has appraised the Property to be worth \$184,652.00. A true and correct copy of the Tax Assessor’s record is attached hereto as **Exhibit “B”**.

9. As of today, the total amount due and owing on the Deed of Trust is at least \$224,536.58. The outstanding indebtedness is sometimes considered when determining the amount in controversy. *See Farkas*, 737 F.3d at 341.

10. Considering either the Property value or outstanding indebtedness, the amount in controversy exceeds \$75,000.00.

11. Because the Plaintiffs and U.S. Bank are citizens of different states and the amount in controversy exceeds \$75,000.00, this Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332(a).

12. By filing this Notice of Removal, U.S. Bank does not waive any of its jurisdictional objections or affirmative defenses.

WHEREFORE, U.S. Bank prays that the State Court Action proceed in this Court as an action properly removed, and that no further proceedings be had in said State Court Action.

Respectfully submitted, this 14th day of September, 2022.

/s/ Amanda M. Beckett  
AMANDA M. BECKETT  
MS State Bar No. 102738  
**RUBIN LUBLIN, LLC**  
428 N. Lamar Blvd., Suite 107  
Oxford, Mississippi 38655  
(601) 398-0153 (Telephone)  
(470) 508-9203 (Facsimile)  
[abeckett@rlselaw.com](mailto:abeckett@rlselaw.com)

*Attorney for U.S. Bank National Association, as  
Trustee for Truman 2016 SC6 Title Trust*

**CERTIFICATE OF SERVICE**

I hereby certify that I have, this 14th day of September, 2022, served all parties in this matter with the within and foregoing by placing a true and correct copy of same in the United States Mail, with first-class prepaid postage affixed thereto, properly addressed as follows:

M. Reed Martz  
Freeland Martz, PLLC  
302 Enterprise Drive, Suite A  
Oxford, MS 38655

/s/ Amanda M. Beckett  
AMANDA M. BECKETT  
MS State Bar No. 102738